

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

UNITED STATES OF AMERICA, ex rel. CAMERON JEHL,)	
)	
)	
Plaintiffs,)	
)	
v.)	No. 3:19-cv-091-NBB-JMV
)	
GGNSC SOUTHAVEN LLC D/B/A GOLDEN LIVINGCENTER-SOUTHAVEN; GGNSC ADMINISTRATIVE SERVICES LLC D/B/A GOLDEN VENTURES; AND GGNSC CLINICAL SERVICES LLC D/B/A GOLDEN CLINICAL SERVICES,)	
)	
)	
Defendants.)	

Oral Argument Requested

**RELATOR’S MOTION TO STRIKE DEFENDANTS’ IMPROPER EVIDENCE
FILED WITH DEFENDANTS’ REPLY IN SUPPORT OF ITS MOTION FOR FEES**

Relator respectfully moves to strike ¶¶ 25-28 of defense counsel Robert Salcido’s Reply Declaration (exhibit 2 to the reply, contained in docket 364-2) in support of Defendants’ Reply regarding its motion for a specific amount of attorneys’ fees and also the vast majority of its invoice for attorneys’ fees and costs in April of 2023 (exhibit D to exhibit 2 of the reply, contained in docket 364-6).

¶¶ 25-28 of Salcido’s declaration (docket 364-2) provide information about the experience of certain lawyers in his firm that should have been submitted with the original motion, filed on April 27, 2023 (docket 356), in order to justify his request for certain hourly rates and for fees for the work of those lawyers. He has now submitted the information only because the Relator pointed to the omission in his response.

Except for the entries on April 28 and perhaps April 27, the entries on the April 2023 invoice (docket 364-6) could and should have been submitted with the fee application that was filed April 27, 2023 (docket 356).

As already mentioned in Relator's response memorandum to the fee motion, it is the applicant's responsibility to provide all necessary information to support its application. If it waits and provides certain information only in the reply, the respondent has no opportunity to address that new information. That is why these two items should be stricken in part. While there are other exhibits and portions of exhibits submitted with the reply, those arguably can be justified as becoming relevant only after the Relator made certain contentions in his fee response. Thus, the Relator has not moved to strike them and instead has focused only on portions of two exhibits.

The Relator also requests that the Court waive the requirement of filing a memorandum in support of this motion given the brevity of the motion and the fact that this request is committed to the discretion of the Court.

Accordingly, the Relator requests that this motion to strike portions of these two exhibits be granted.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of June, 2023, the foregoing was served on the following counsel by operation of the Court's electronic filing system:

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